

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

WOMEN OF COLOR FOR EQUAL JUSTICE, REMO DELLO IOIO, ELIZBETH LOIACONO, SUZANNE DEEGAN, MARITZA ROMERO, JULIA. HARDING, CHRISTINE O'REILLY, AYSE P. USTARES, SARA COOMBS-MORENO, JESUS COOMBS, ANGELA VELEZ, SANCHA BROWNE, AMOURA BRYAN, ZENA WOUADJOU, CHARISSE RIDULFO, TRACY-ANN FRANCIS MARTIN, KAREEM CAMPBELL, MICHELLE HEMMINGS HARRINGTON, MARK MAYNE, CARLA GRANT, OPHELA INNIS, CASSANDRA CHANDLER, AURA MOODY, EVELYN ZAPATA, SEAN MILAN, SONIA HERNANDEZ, BRUCE REID, JOSEPH RULLO, AND CURTIS BOYCE, JOSEPH SAVIANO, MONIQUE MOORE, NATALYA HOGAN, JESSICA CSEPKU, ROSEANNE MUSTACCHIA, YULONDA SMITH, MARIA FIGARO, RASHEEN ODOM, FRANKIE TROTMAN, GEORGIANN GRATSLEY, EDWARD WEBER, MERVILYN WALLEN, PAULA SMITH, SARAH WIESEL SUZANNE SCHROETER, DAWN SCHOL, LYND SAY WANSER, CHRISTIAN MURILLO, individually and on behalf of similarly situated individuals,

Plaintiffs,

v.

THE CITY OF NEW YORK, MAYOR ERIC L. ADAMS, COMMISSIONER ASHWIN VASAN, MD, PHD DEPARTMENT OF HEALTH AND MENTAL HYGIENE, DEPARTMENT OF EDUCATION, AND DOES 1-20

Defendants.

INDEX No.: 1:22 CV 02234-EK-LB

NOTICE OF APPEAL

Notice is hereby given that the following parties: Women of Color for Equal Justice, Remo Dello Ioio, Elizabeth Loiacono, Suzanne Deegan, Maritza Romero, Julia Harding, Christine O'Reilly, Ayse P. Ustares, Sara Coombs-Moreno, Jesus Coombs, Angela Velez, Sancha Browne, Amoura Bryan, Zena Wouadjou, Charisse Ridulfo, Tracy-Ann Francis Martin, Kareem Campbell, Michelle Hemmings Harrington, Mark Mayne, Carla Grant, Ophela Innis, Cassandra Chandler, Aura

Moody, Evelyn Zapata, Sean Milan, Sonia Hernandez, Bruce Reid, Joseph Rullo, Curtis Boyce, Joseph Saviano, Monique Moore, Natalya Hogan, Jessica Cspeku, Roseanne Mustacchia, Yulanda Smith, Maria Figaro, Rasheen Odom, Frankie Trotman, Georgiann Gratsley, Edward Weber, Mervilyn Wallen, Paula Smith, Sarah Wiesel, Suzanne Schroeter, Dawn Schol, Lyndsay Wanser, Christian Murillo and Dianne Baker-Pacius in the above-named case appeal to the United States Court of Appeals for the Second Circuit from the order entered on November 18, 2022 determining that:

1. Plaintiffs were not entitled to injunctive relief because Plaintiffs have no private right of action under the OSH Act and the Supremacy Clause,
2. the New York City Vaccine Orders do not violate New York Public Law Section 206 and
3. Plaintiffs are not entitled to declaratory judgment because a request for declaratory relief does not by itself establish a case or controversy involving an adjudication of rights.

December 2, 2022

Respectfully submitted,

/s/ *Jo Saint-George*

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